

Department of Youth Services



Functional Analysis & Records Disposition Authority

**Revision
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State Records Commission
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Table of Contents

Functional and Organizational Analysis of the Department of Youth Services	3
Sources of Information	3
Historical Context	4
Agency Organization	6
Agency Function and Subfunctions	6
Records Appraisal of the Department of Youth Services	13
Temporary Records	13
Permanent Records	14
Permanent Records List	19
Department of Youth Services Records Disposition Authority	21
Explanation of Records Requirements	21
Records Disposition Requirements	22
Promulgating Rules and Regulations	22
Supporting and Facilitating Local Services	22
Licensing and Monitoring Local Youth Facilities and Programs	23
Screening and Placing Committed Youth	23
Administering the Interstate Compact for Juveniles	23
Operating Institutional Facilities	23
Investigating and Advocating	24
Educating	24
Providing Rehabilitative Treatment Services	24
Administering Internal Operations: Managing the Agency	24
Administering Internal Operations: Managing Finances	26
Administering Internal Operations: Managing Human Resources	27
Administering Internal Operations: Managing Properties, Facilities, and Resources	29
Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)	31

Functional and Organizational Analysis of the Department of Youth Services

Sources of Information

- Representatives of the Department of Youth Services (DYS)
- Code of Alabama 1975 § 12-15-501 through 12-15-509
- Code of Alabama 1975 § 16-24c-5
- Code of Alabama 1975 § 44-1-1 through 44-1-56
- Code of Alabama 1975 § 44-2-1 through 44-2-26
- Alabama Acts 1892-1893, No. 102 ½, Section 35
- Alabama Act 1911, No. 336
- Alabama Act 1919, No. 42, Article 38, Section 1
- Alabama Act 1973, No. 816
- Alabama Act No. 82-485
- 34 U.S.C. Ch. 303 (Prison Rape Elimination Act)
- 42 U.S.C. § 5601 et seq. (Juvenile Justice and Delinquency Prevention Act)
- Exec. Order No. 3 (1967)
- *Alexander v. Holmes County Bd. of Ed.*, 396 U.S. 1218 (1969)
- Alabama Administrative Code (AAC) Chapters 445-X-1.01 to 445-X-1.10
- Alabama Government Manual (2018)
- Department of Youth Services Annual Reports
- Archives Division Department of Youth Services Records Disposition Authority (RDA)
- Archives Division State Agency Files (1985-ongoing)
- Department of Youth Services website
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- Perry, Tonya and Denise Maye. “Bein' Womanish: Womanist Efforts in Child Saving During the Progressive Era: The Founding of Mt. Meigs Reformatory.” *Affilia* 22, no. 2 (Summer 2007): 209-219.
- Spivey, Donald. *If Only You Were White: The Life of Lorey “Satchel” Paige*. University of Missouri Press, 2012.

Historical Context

The nineteenth century brought a shift in the way society regarded children and adolescents in the United States. This shift was reflected both in the formulation of juvenile justice systems and in the establishment of reformatory institutions for neglected or criminal children. The Illinois Juvenile Court Act of 1899 created the first juvenile court in the United States and established the precedent for a reformed juvenile justice system. Prior to that time, children seven years of age or older were frequently tried, convicted, and sentenced using the same guidelines applied to adults, and were incarcerated alongside adult prisoners.¹ These changing guidelines coincided with the establishment of institutions like the House of Refuge in New York (founded in 1824).²

States could legally incarcerate children for a variety of reasons, from criminal activity to simply having impoverished or “unfit” caregivers. Only children who could be “salvaged” and rehabilitated, however, qualified for placement in rehabilitative institutions.³ These provisions allowed institutions to systematically deny admittance to poor and minority children. Black, Native American, and Latin American children were often considered unable to be rehabilitated and remained incarcerated alongside adults. Black youths admitted to houses of refuge or reform schools were segregated from white youths and typically received little to no education or training.⁴

Alabama first began differentiating delinquent youth from adult criminals in 1893, when the Legislature established a new convict system wherein all inmates under sixteen years of age would be “separated and confined and work apart [from adult inmates].” The new act required correctional institutions to erect juvenile reformatories “as soon as practicable” for convicts under sixteen years of age.⁵ Alabama’s first state-run reformatory school was the Alabama Industrial School, established by the Legislature in 1899. Located in Jefferson County, the Alabama Industrial School cared for white juveniles between the ages of six and eighteen who were “likely to become criminal or hurtful to the state.”⁶

In 1911, the Legislature assumed control of the Alabama Home of Refuge (formerly the Girls Home for the Friendless) and the Mercy Home Industrial School in Birmingham. The Alabama Home of Refuge cared and provided for white delinquent females between the ages of twelve and twenty-five years. The Mercy Home Industrial School in Birmingham provided for white delinquent girls between the ages of twelve and sixteen.⁷

¹ PBS, “Child or Adult? A Century Long View,” *Juvenile Justice*, published January 2001, <https://www.pbs.org/wgbh/pages/frontline/shows/juvenile/stats/childadult.html>.

² Center on Juvenile and Criminal Justice, “Juvenile Justice History,” Accessed September 30, 2020, <http://www.cjcj.org/education1/juvenile-justice-history.html>.

³ Sanford J. Fox, “Juvenile Justice Reform: An Historical Perspective,” *Stanford Law Review* 22, no. 6 (June 1970): 1187.

⁴ Christopher A. Mallet and Miyuki Fukushima Tedor, “The History of Juvenile Justice and Today's Juvenile Courts,” in *Juvenile Delinquency: Pathways and Prevention* (SAGE Publications, Inc., 2018), 30.

⁵ Alabama Acts 1892-1893, No. 102 ½, Section 35.

⁶ The Legislature changed the school’s name to the Alabama Boys Industrial School in 1919 (Alabama Act 1919, No. 42, Article 38, Section 1).

⁷ The Legislature renamed the Alabama Home of Refuge as the Alabama State Training School for Girls in 1915. The school moved to Pinson, Alabama in 1918 and operated until 1973.

Alabama's first reform school for African American youths was the Mount Meigs Colored Institute in Montgomery County, established in 1888 by Cornelia Bowen and modeled after the Tuskegee Institute and Hampton Institute.⁸ In 1907, Bowen received assistance from the Alabama Federation of Colored Women's Clubs to open a second school – the Reformatory School for Black Boys.⁹ The state assumed operation of this school in 1911 and changed the name to the Alabama Reform School for Juvenile Negro Law-Breakers.¹⁰ The school's treatment of African American youths differed from that of white youths in other facilities; African American youths received some education and training, but were more often subjected to hard labor and corporal punishment.^{11,12} Following the 1969 case *Alexander v. Holmes County Board of Education*, in which the Supreme Court ordered the immediate desegregation of public schools, the school integrated and became the Alabama Industrial School.¹³

In 1967, Governor Lurleen B. Wallace's Executive Order No. 3 established the Alabama Youth Committee to study and develop "techniques for the prevention and control of juvenile delinquency and youth offenses...." In response to the committee's recommendations, Governor Albert P. Brewer created the Division of Juvenile Delinquency Services within the Department of Pensions and Security to oversee programs related to juvenile delinquency.¹⁴ The Alabama Youth Committee served the Department of Pensions and Security (now known as the Department of Human Resources) until 1973, when the Legislature passed the Youth Services Act creating the Department of Youth Services.¹⁵ This act transferred all functions, responsibilities, and properties of the three youth delinquency schools, the Division of Juvenile Delinquency Services, and the Alabama Youth Committee to the Department of Youth Services. The act authorized the newly created department to administer the Interstate Compact on Juveniles, a multi-state agreement that provides procedures for regulating the movement of juveniles who are under court supervision across state lines.¹⁶

The first piece of comprehensive juvenile justice legislation at the federal level was the Juvenile Justice and Delinquency Prevention Act of 1974. The act required states to separate juveniles from adult offenders in prisons and to address the issue of disproportional confinement of minorities.

Alabama Act 82-485 established a special school district and a superintendent of education to administer the DYS' education programs in conjunction with the department director. The DYS School District operates in relation to the Alabama State Board of Education (ALSDE) as do other local boards of education.

⁸ Donald Spivey, *If Only You Were White: The Life of Lorey "Satchel" Paige* (University of Missouri Press, 2012), 22-23.

⁹ Tonya Perry and Denise Maye, "Bein' Womanish: Womanist Efforts in Child Saving During the Progressive Era: The Founding of Mt. Meigs Reformatory," *Affilia* 22, no. 2 (Summer 2007): 215.

¹⁰ Alabama Act 1911, No. 336.

¹¹ Alicia Barnes, "Alabama Department of Youth Services," last modified April 13, 2017, *Encyclopedia of Alabama*, <http://encyclopediaofalabama.org/article/h-3883>.

¹² The Alabama Reform School for Juvenile Negro Law-Breakers was renamed the Alabama Industrial School for Negro Children in 1947.

¹³ *Alexander v. Holmes County Bd. of Ed.*, 396 U.S. 1218 (1969).

¹⁴ Alicia Barnes, "Alabama Department of Youth Services."

¹⁵ Alabama Act No. 1973-816.

¹⁶ Code of Alabama 1975 § 44-2-10 through § 44-2-11.

In response to rising admission rates, Governor Bob Riley, Alabama chief justice Sue Bell Cobb, and the Department of Youth Services (DYS) partnered with the Annie E. Casey Foundation in 2006 to reduce admissions to the department. Through the department's participation in the Juvenile Detention Alternatives Initiatives (JDAI), DYS “[shifted] to a smaller, more effective system that focuses on community-based and local interventions through community collaborations instead of detention.”¹⁷ Admissions lowered by 47% between 2006 and 2013.¹⁸

As of 2020, DYS operates three juvenile delinquency rehabilitative facilities located in Birmingham (Jefferson County), Mt. Meigs (Montgomery County), and Prattville (Autauga County) and contracts with an additional ten locations throughout the state. The department also provides social services throughout the state for the prevention of juvenile delinquency and the rehabilitation of delinquent youth.

Agency Organization

The Alabama Youth Services Board governs the Department of Youth Services. The Board is composed of nineteen members. The governor, a non-voting member, is the *ex officio* chairman of the board. Another five members are *ex officio*, including the Commissioner of the State Department of Human Resources; the State Superintendent of Education; the Commissioner of the State Department of Mental Health; the State Health Officer; and the Director of the Alabama Department of Economic and Community Affairs. The Speaker of the Alabama House of Representatives and the Presiding Officer of the Alabama Senate each appoint two members from their respective bodies. The President of the Alabama Council of Juvenile Court Judges and the Chairman of the Alabama Chief Probation Officers Association each appoint one member from their respective groups. Finally, the governor appoints one member from each of the state’s seven congressional districts for six-year staggered terms. All other members not appointed by the governor serve six-year terms.

The Board’s membership elects a chairperson, vice-chairperson, and secretary. The Board meets quarterly. The chairperson or any three members of the Board may call special meetings. A quorum consists of any nine members of the Board except during certain circumstances related to the DYS School District, wherein a quorum consists of the majority of the Board’s membership, i.e., eleven members.¹⁹ The Board appoints the State Youth Services Director, who exercises supervision over all employees of the department. As of October 2020, the department is organized into the following major divisions/offices: the Administrative Division, the Community Services Division, the Institutional Services Division, the School District, the Office of Screening and Placement, the Internal Investigations Unit, and the Executive Division.

Agency Function and Subfunctions

The mandated function of the department is to maintain public safety and promote and safeguard

¹⁷ Alicia Barnes, “Alabama Department of Youth Services.”

¹⁸ Alabama Administrative Office of Courts, “Alabama Unified Judicial System: Fiscal Year 2013 Annual Report and Statistics” (2013): 54, <https://www.alacourt.gov/Annual%20Reports/2013AOCAnnualReport.pdf>.

¹⁹ Code of Alabama 1975 § 16-24C-5.

the social well-being and general welfare of the youth of the state through a comprehensive and coordinated program of public services for the prevention of juvenile delinquency and the rehabilitation of delinquent youth.²⁰ The department is one of the agencies primarily involved in carrying out the Law Enforcement and Emergency Powers function of Alabama government.

In the performance of its mandated functions, the Department of Youth Services (henceforth referred to as “DYS”) may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** The Code of Alabama 1975 § 44-1-24 (9) specifies that DYS is responsible for making all rules and regulations that are necessary and appropriate to the proper accomplishment of the duties and functions vested in the department by law with respect to youth services. This subfunction encompasses activities pertaining to the establishment and promulgation of rules, policies, orders, and regulations by the Youth Services Board and the Department of Youth Services for carrying out its duties and responsibilities.
- **Supporting and Facilitating Local Services.** DYS facilitates services in local, non-institutional settings by supporting local youth programs and by serving on local bodies which promote the well-being of youth in their communities.²¹

The agency provides grant funding to aid in the development and operation of diversion and intervention programs for youths who meet the legal criteria for commitment to DYS. Diversion programs deliver services in a local, less restrictive environment and improve outcomes through the integration of youths’ families into rehabilitation services. These programs may be residential or non-residential and provide a variety of educational and treatment services. As of October 2020, DYS subsidizes twelve detention centers and administers grant funding to over fifty diversion programs serving fifty-nine of the state’s sixty-seven counties. Additionally, the department subsidizes county and/or regional detention facilities through a line item in the DYS budget. DYS provides \$14,000 to each center, plus an additional amount based on current child census data.

Another way DYS facilitates local services is through its involvement with the Alabama Children’s Policy Council, situated within the Alabama Department of Early Childhood Education. The Alabama Children’s Policy Council consists of a State Children’s Policy Council (the “State Council”) and county children’s policy councils (“County Councils”). DYS representatives serve on each County Council, while the DYS Executive Director serves as a member of the State Council.

DYS staff serve in similar ways with the Multiple Needs Child Office. The Multiple Needs Child Office provides services to multiple needs children “at imminent risk of out-of-home placement or placement in a more restrictive environment and whose needs require the services of two or more of following entities: Department of Youth Services, public school system (services for exceptional needs), Department of Human Resources,

²⁰ Code of Alabama 1975 § 44-1-1.

²¹ Code of Alabama 1975 § 44-1-25.

Department of Public Health, juvenile probation officers, or Department of Mental Health...”²² The DYS Executive Director serves on the Executive Council of the Multiple Needs Child Office, while DYS representatives serve on the Alabama Children’s Services Facilitation Team (the “State Team”) and the county children’s services facilitation teams (“County Teams”) of the Office. The State Team and County Teams aim to provide services to multiple needs children locally and in the least restrictive environment as possible.

- **Licensing and Monitoring Local Youth Facilities and Programs.** DYS is responsible for establishing licensing standards for the construction and operation of youth residential facilities such as detention facilities, foster care facilities, group homes, and correctional institutions.²³ Juvenile courts may only utilize residential facilities which have been established, licensed, or approved by DYS or the Alabama Department of Human Resources (DHR) to provide for the detention, shelter, or other care of youths referred to or coming under their jurisdiction.²⁴

Local residential facilities licensed by DYS may be operated by local government entities or private organizations. As of October 2020, DYS licenses sixty-two facilities in the state, including twelve county detention centers. These local facilities may provide specific programming not offered by DYS, such as gender-specific programs for female youths.

The department’s licensing responsibilities include establishing minimum operation standards and guidelines, examining and inspecting facilities, training facility staff members, issuing and/or renewing licenses for qualified facilities, and monitoring facilities’ services. Licensed facilities are audited on an annual basis and may be audited more frequently if the department identifies recurring issues. Facilities must meet standards established by entities including, but not limited to, the Office of Fire Marshal, the Alabama Department of Public Health (ADPH), and the American Correctional Association (ACA). Other evaluation criteria include the resident-to-staff ratio, the measurements of rooms, and the quality of programming. Facilities may have a safe room for extreme weather events which must meet Federal Emergency Management Agency (FEMA) criteria. DYS-operated facilities are not licensed but utilize comparable standards as required for licensure of other residential facilities in the state.

In addition to licensing residential facilities, DYS monitors and evaluates all grant-funded diversion facilities and programs, whether residential or non-residential, based on the grant’s established criteria and objectives and on the success of youths in the program.

- **Screening and Placing Committed Youth.** Prior to the placement of youth in the custody of DYS, the agency’s Screening and Placement Committee (made up of the Screening and Placement Coordinator, the Screening and Placement Specialist, the Coordinator of Special Education, a Community Services Division representative, and an

²² Code of Alabama 1975 § 12-15-501(2).

²³ Code of Alabama 1975 § 44-1-7.

²⁴ Code of Alabama 1975 § 12-15-208(e).

Institutional Services Division representative) reviews and utilizes all related documents and reports provided by the local courts to make an initial classification of each youth to be transferred. DYS staff use information such as the youth's risk/needs assessment, social evaluation, delinquency record, and academic records in the classification process. Once determined, the committing courts are notified about which facility the youth will be placed into for treatment.

After placement, committed youths remain outside the purview of the Office of Screening and Placement unless a review of their placement is required. The Review of Placement Committee reviews the placement of youths who may need to be transferred to a more restrictive or less restrictive setting. Members of this committee include the Screening and Placement Coordinator and representatives from the Community Services Division, Institutional Services Division, and Office of Screening and Placement.

- **Administering the Interstate Compact for Juveniles.** The Interstate Compact for Juveniles (ICJ) is a multi-state agreement that provides procedures for regulating the movement of juveniles who are under court supervision across state lines.²⁵ The Executive Director of DYS serves as the state's commissioner on the Interstate Commission for Juveniles, which promulgates rules, enforces compliance with the compact provisions, and resolves disputes among states, among other duties. DYS appoints a compact administrator who is responsible for overseeing the transfer of juveniles on probation and parole supervision into and out of Alabama and for organizing the return of juveniles who have run away, absconded, or escaped from the state.
- **Operating Institutional Facilities.** DYS operates residential facilities which house and care for youths committed to the department's custody. As of October 2020, DYS operates three facilities: the Autauga Campus, located in Prattville; the Mt. Meigs Campus, located in Mt. Meigs; and the Vacca Campus, located in Birmingham.

The Mt. Meigs Campus (previously known as the Alabama Boys Industrial School) is the most secure facility and houses male youths ages twelve to twenty-one, with most youths between the ages of sixteen and nineteen. The Vacca Campus is a secure facility serving male youths ages twelve to seventeen. The Autauga Campus serves low-risk male youths who do not have extensive involvement in the juvenile justice system. DYS staff at each facility provide for youths' needs including, but not limited to, housing, food, and clothing. Security staff at each campus are responsible for monitoring facility and dorm operations and protecting the safety of residents.

- **Investigating and Advocating.** DYS advocates for committed youth by documenting and responding to youth complaints, investigating misconduct, and continuously improving the safety and effectiveness of the department's services. Youths may file complaints regarding any action, incident, living condition, dispute, or departmental policy or practice which they believe to be unjust, detrimental, or a violation of their rights.

²⁵ Code of Alabama 1975 § 44-2-10 through § 44-2-11.

DYS staff conduct confidential internal investigations concerning youth and agency staff who are alleged to have engaged in administrative violations of the agency's policies and procedures and/or criminal misconduct. In the course of an investigation, DYS staff may secure evidence, maintain and document the chain of evidence, conduct interviews, and prepare analysis reports. DYS refers all criminal misconduct to law enforcement, including misconduct related to the Prison Rape Elimination Act (PREA). Passed in 2003, PREA is a federal law which facilitates research and prevention of sexual abuse, assault, and harassment in federal, state, and local institutions.

To address alleged administrative violations by employees, DYS conducts administrative hearings adjudicated by a hearing officer who may render discipline such as a warning, reprimand, suspension, or termination.

Each DYS-operated facility has in place a Disciplinary Committee which investigates youths' alleged violations of program rules. The Disciplinary Committees conduct hearings and assign disciplinary penalties in accordance with the agency's policies and procedures.

DYS strives to reduce the rate of incidents and increase safety through quality assurance and continuous improvement. DYS collects and analyzes data and records including, but not limited to, incident reports, surveys, and interviews in order to identify needs and issues, develop plans for improvement, and increase accountability and transparency with the public. As of October 2020, DYS maintains quality assurance data in the Incident Reporting Information System (IRIS) database.

- **Educating.** The DYS School District is governed by the policies and procedures of both DYS and the Alabama State Department of Education (ALSDE). The Code of Alabama 1975 § 44-1-70 states that the “relationship existing between the [DYS School District] and the state board of education shall be the same as that of local boards of education to the state board.” The Youth Services Board serves as the local board of education for the DYS School District and appoints the district’s superintendent of education upon the recommendation of the Executive Director. The Youth Services Board and the superintendent “stand in the same relationship to the state board of education as do local boards of education and local superintendents of education.”²⁶

As of October 2020, the DYS School District encompasses three schools: the Adele Goodwyn McNeel School (at the Vacca Campus), the Lurleen B. Wallace School (at the Mt. Meigs Campus), and the Lurleen B. Wallace IV School (at the Autauga Campus). Students in secure programs within DYS facilities may receive education services separately from the general adolescent population. DYS School District staff perform many of the same activities as other school districts, such as documenting student attendance; promoting student discipline, safety, and health; and teaching and evaluating students.

²⁶ Code of Alabama 1975 § 44-1-76.

Each school has in place an Advisory Board composed of members of the community to support the activities of the campus. Pursuant to the Code of Alabama 1975 § 44-1-7, the Advisory Boards of each school may serve as trustees for an endowment trust fund in order to accept private donations for the benefit of the school.

- **Providing Rehabilitative Treatment Services.** Upon a youth's admission to DYS custody, staff assess each youth's needs and risks. These assessments determine the rehabilitative treatment services and goals within the youth's individualized service plan. All youths in DYS custody participate in social and recreational programs designed to promote social skills, emotional self-regulation, and a sense of competence and belonging.

Youths committed to DYS custody may be placed in specialized rehabilitative treatment programs. As of October 2020, DYS operates three specialized rehabilitative treatment programs. The Accountability Based Sex Offense Prevention (ABSOP) Program serves delinquent adolescents with illegal sexual behaviors through a contractual agreement with the Auburn University Department of Psychology. The Chemical Addiction Program (CAP) serves delinquent youths with substance abuse issues. Lastly, the Intensive Treatment Unit (ITU) serves delinquent youth who are assaultive, combative, or destructive, or who have absconded from private provider facilities with whom DYS contracts for services. DYS staff deliver comprehensive and evidence-based rehabilitative treatment services to youths such as individual, group, and family counseling; written exercises; anger control training; moral training; and interactive teamwork activities. Staff may provide supplemental rehabilitative treatment services and accommodations to youths identified as having special needs.

- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency including:

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, tracking), publicizing and providing information, managing records, and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

Managing Human Resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; investigating and disciplining.

Managing Properties, Facilities, and Resources: Activities include inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; leasing and/or renting offices or facilities; providing security for property managed by the agency; insuring property; and assigning, inspecting and maintaining agency property.

Records Appraisal of the Department of Youth Services

The following is a discussion of the three major categories of records created and/or maintained by the agency: Temporary Records, Permanent Records, and Records No Longer Created.

Temporary Records

Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the agency are discussed below:

- **Youth Facility/Program Licensure Files.** This record series consists of information maintained by DYS for licensed youth facilities and programs including, but not limited to, completed application forms, completed audit checklists, correspondence, facility inspection records, and incident reports. These records are to be kept for three years after the year in which the license expires to document adherence to DYS standards.
- **Interstate Compact for Juveniles and Interstate Compact for the Supervision of Parolees and Probationers Administrative Files.** In discharging the responsibilities pertaining to the Interstate Compact for Juveniles, various forms document the department's efforts in transferring or returning a youth runaway, escapee, or absconder either to this state or to another state. Since the value of these files diminishes after the youth leaves DYS custody, the retention is one year after the end of the year in which the youth is transferred or returned. The DYS annual reports document statistical data regarding administration of the compact.
- **Professional Accreditation Files.** Facilities licensed or operated by DYS may receive professional accreditation by entities such as the American Correctional Association. If accreditation is not required by state or federal law, the department may choose to not pursue formal reaccreditation. Accreditation files including, but not limited to, application materials, reports, and award records are to be retained for three years or until reaccreditation is completed in order to demonstrate the department's adherence to professional standards.
- **DYS Youth Facility Employee Council Meeting Minutes.** The Employee Council, comprised of non-administrative employees of the department, provides a forum for employees to communicate issues or concerns to the department. Employees may request modifications to policy, procedure and programs through the Employee Council. Quarterly meetings rotate from campus to campus and minutes are recorded at each meeting. The Employee Council also nominates the Employee of the Quarter. The Employee Councils do not meet the qualifications of a "governmental body" according to the Open Meetings Act.²⁷ These records are to be retained for one year for employee reference.

²⁷ Code of Alabama 1975 § 36-25A-2(4).

- **DYS Facility Operational Files.** During the day-to-day operation of its facilities, DYS creates routine records including, but not limited to, institutional logs essential to general operation and security of the facilities, which are maintained on a daily or other periodic basis; records documenting routine security administration functions and incidents at the facility; staff meeting minutes regarding day-to-day operations; records documenting general inventory management; and records documenting the ordering and distribution of food supplies, equipment, and other supplies to facilities. These records are to be retained for three years to document the management, supervision, and control of facilities operated by the department.
- **Investigation Case Files.** During a formal investigation, DYS compiles all documentation related to the incident in a case file. Case files may include records including, but not limited to, chain of evidence forms, audio/video recordings, correspondence, Miranda or Garrity warning forms, and summary reports. The subject of an investigation may be agency staff, committed youths, or a combination thereof. These records should be retained for 6 years or 6 years after the subject youth turns 21, if applicable, to provide sufficient time for the expiration of any statute of limitations pertinent to the investigation.²⁸
- **Register of Administrative Rules.** According to the Code of Alabama 1975 § 41-22-6 through § 41-22-7, agencies must compile and maintain “an official register of regulations which shall be compiled, indexed, published in loose-leaf form, and kept up to date...” This “official register of regulations” is known as “The Department of Youth Services Code” and must be made available upon request to all persons. Since the register must be updated on an ongoing basis, it is to be retained until superseded.
- **Administrative Rule Change Working Files.** The Alabama Administrative Procedure Act (Code of Alabama 1975, Title 41, Chapter 22) details the steps which an agency must follow when updating its administrative rules. Working files are produced in the course of the proposal, adoption, amendment, and/or repeal of administrative rules. Records in this series may include, but are not limited to, the following: received public comments, economic impact statements, and business impact analyses. A retention of one year after adoption, amendment, repeal, or rejection of an administrative rule permits review by staff when considering similar rules.

Permanent Records

The Archives Division has appraised the following records as permanent.

Promulgating Rules and Regulations

- **Meeting Minutes, Agendas, and Packets of the Youth Services Board.** The Youth Services Board meets on a quarterly basis, in addition to special board meetings as

²⁸ E.g., Code of Alabama Title 6 Chapter 2 Article 2.

needed. Included in this series are meeting agendas, minutes, quarterly reports submitted by each DYS division/program, and other supporting or reference materials. These files should be preserved as the core documentation of the work and decision-making processes of the board. **(Bibliographic Title: Meeting Files)**

- **Planning Files.** These records are created for the purposes of strategic or quality improvement planning. The plans show how the department intends to improve the effectiveness of its services and the safety of its facilities. These plans should be preserved as documentation of the department's goals and priorities. **(Bibliographic Title: Planning Files)**
- **Executive Director's Orders.** The Executive Director may issue orders on matters of immediate importance which augment or supersede the department's policies and procedures until the next meeting of the Youth Services Board, at which time the Board may adopt the order as formal policy. **(Bibliographic Title: Administrative Files)**

Supporting and Facilitating Local Services

- **Grant Records – Grant Reports.** DYS disburses grant funding to local youth facilities and programs in order to promote alternatives to state custody and commitment. Grant-funded programs submit reports to DYS on an annual or other periodic basis. These records document the department's efforts to promote public safety and support intervention for troubled youths in community-based, non-institutional settings. **(Bibliographic Title: Grant Reports)**

Licensing and Monitoring Local Youth Facilities and Programs

- **Annual Roster Reports of Licensed Facilities/Programs.** This record series documents the department's regulation of residential youth facilities and programs. Licensed entities may include, but are not limited to, contract providers, detention facilities, residential facilities, day treatment programs, and outdoor adventure treatment programs. **(Bibliographic Title: Registers and Rosters)**

Screening and Placing Committed Youth

Note: Permanent records documenting this subfunction are found in the record series "Youth Case Files (Samples)" as described in the subfunction "Providing Rehabilitative Treatment Services".

Operating Institutional Facilities

- **Meeting Minutes, Agendas, and Packets of the DYS Youth Facility Advisory Boards.** Each DYS-operated facility has an advisory board to coordinate various activities of that facility. The facility staff selects members of the board from the local community. The board meets on either a monthly or quarterly basis. Meeting minutes,

agendas, and packets should be preserved to document the activities of these advisory boards. **(Bibliographic Title: Meeting Files)**

Educating

Note: The DYS School District operates under the jurisdiction of the Alabama State Board of Education, as do other local boards of education in the state. The Local Government Records Commission has approved a Records Disposition Authority (RDA) for local boards of education. The DYS School District should refer to the Local Boards of Education RDA's retention guidelines for any records which do not appear in this document.

Providing Rehabilitative Treatment Services

- **Youth Case Files (Samples).** When a youth is committed to DYS custody, the Office of Screening and Placement creates a case file to bring together information about the individual. The department's policies and procedures manuals provide information on the creation and composition of a typical case file. The case file contains committing legal documentation such as petitions, affidavits, court orders, court social history forms, police reports, and medical records. The Office of Screening and Placement forwards case files to the campus at which the youth is housed.

During the commitment period, DYS staff create administrative and treatment records documenting the youth's progress, behaviors, education, and eventual release from the department's custody. Examples of administrative files in the case file include progress reports, interstate compact documentation, incident reports, incident information reports, disciplinary records, observation reports, correspondence, school transcripts, individualized education plans (IEPs), and release documentation. Examples of treatment records in the case file include service plans, consent forms, treatment logs, psychological assessments, and therapy notes.

As of October 2020, DYS maintains some case file information in the Student Information Management System Database (SIMS), an in-house tool for accessing and documenting student information, commitment, placement, treatment, movement from facility to facility, and release. DYS maintains documentation of treatment services in SIMS, which includes, but is not limited to, student history, testing, goals, behaviors, interventions, participation, and progress. After a youth's release from the department's custody, case file records are compiled and securely stored for the remainder of the retention period.

To comply with the Health Insurance Portability and Accountability Act (HIPAA), DYS retains inactive case files for six years after the youth reaches twenty-one years of age. Although the case files document significant demographic and social trends in Alabama, their contents are privileged due to the presence of personally identifiable information and personal health information. The agency's annual reports contain sufficient statistical information for use in research relating to juvenile delinquency in Alabama. A small selection of case files is to be sampled and retained permanently to document the process

of juvenile treatment and rehabilitation. (**Bibliographic Title: Youth Case Files**)

Administering Internal Operations

- **Policies and Procedures - Policies and procedures governing core functions and services.** These records document the agency's role in promulgating policies and procedures governing critical operations including, but not limited to, the screening and placement process. The scope of the series does not include policies concerning the administration of routine, internal operations. (**Bibliographic Title: Policies and Procedures**)
- **Certified Copies of Administrative Rules.** The Alabama Administrative Code is a compilation of the rules of all state agencies covered by the Alabama Administrative Procedure Act. Each agency covered by the Act may propose and adopt revisions to its administrative rules. According to the Code of Alabama 1975 § 41-22-6, “each agency shall have an officer designated as its secretary and shall file in the office of the secretary of the agency a certified copy of each rule adopted [by the agency].” (**Bibliographic Title: Not Applicable**) (**Maintained by the Department of Youth Services**)
- **Administrative Files that Document Policy, Process, and Procedure.** These records, which include official correspondence of the agency, document actions and positions of the agency. They do not include correspondence dealing with routine matters. These records include, but are not limited to, correspondence with state officials, legal/advisory correspondence, subject files, and other correspondence. (**Bibliographical Title: Administrative Files**)
- **Annual and Other Periodic Reports.** These records include reports created by the agency that document its critical activities. The Code of Alabama 1975 § 44-1-55 requires that the Youth Services Board issue annual reports to the Governor concerning the status of juvenile services in the state as well as the department's activities, needs, and plans. The frequency of report publications may vary (annual, biannual, quarterly, etc.). Interim reports that contain the same substantive information as a corresponding annual or other periodic report need not be retained permanently. Where no agency annual report exists, or where the agency annual report does not adequately document activities of the agency, then division annual reports should be retained. (**Bibliographic Title: State Publications**)
- **Special Reports.** These records include reports created by the agency pertaining to a specific topic or subject area. Special reports may be prepared on an irregular schedule. Interim reports that contain the same substantive information as a corresponding special report need not be retained permanently. (**Bibliographic Title: State Publications**)
- **Informational and Promotional Materials.** These records are created to build public awareness about a variety of issues and department related activities. Examples of these records include, but are not limited to, newsletters, press releases, and brochures. The publications document the activities of DYS and how the department views these

activities. **(Bibliographic Title: Publicity Files)**

- **Board Member Files – Biographical and Historical Information.** These records include biographical description and other historical data related to the agency's board members. These records provide important documentation of the board's composition. **(Bibliographic Title: Board Member Biographical Files)**
- **Website(s) and Social Media Site(s).** The agency has a website at dys.alabama.gov and does not maintain any social media sites as of October 2020. Information on the website includes descriptions of available youth services in the state, demographic information about DYS admissions and commitments, forms, reports, and featured updates and events. ADAH staff capture and preserves the agency's website(s) and other social media page(s) via a service offered by the Internet Archive [Archive-It]. Any content behind password protection or login would not be captured by the ADAH. Check with the ADAH website at www.archiveit.org/organizations/62 to ensure that your agency's website(s) and social media page(s) are captured and preserved. If your agency's website(s) and social media page(s) are not being captured by the service, please contact the Archives Division at 334-242-4452 to get them included. **(Bibliographic Title: Website and Social Media Sites)**

Records No Longer Created

- **Client Tracking System Database.** The department previously maintained a database system using Lotus Notes software to maintain accurate population data, document each youth's current placement, and track the movement of youth from one facility to another. The Client Tracking System database has been superseded by the Student Information Management System (SIMS) database. Records contained in the SIMS database are included in the record series "Youth Case Files (Samples)." Since the Client Tracking System database is used for quick access to information regarding the movement of youth offenders within DYS facilities, the information should be retained until superseded.
- **Compliance Records.** The department was previously required to comply with court consent orders. A consent order is a voluntary settlement resolving a lawsuit or criminal case in which the defendant agrees to take specific actions without admission of guilt or liability. As of October 2020, these consent orders have not been issued to DYS in over two decades. Records documenting DYS compliance with historically significant court orders are to be retained permanently. All other compliance records are to be retained five years after the final disposition of the case to provide adequate time for verification of compliance.

Permanent Records List

Department of Youth Services

Promulgating Rules and Regulations

1. Meeting Minutes, Agendas, and Packets of the Youth Services Board
2. Planning Files
3. Executive Director's Orders

Supporting and Facilitating Local Services

1. Grant Records – Grant Reports

Licensing and Monitoring Local Youth Facilities and Programs

1. Annual Roster Reports of Licensed Facilities/Programs

Operating Institutional Facilities

1. Meeting Minutes, Agendas, and Packets of the DYS Youth Facility Advisory Boards

Educating

The DYS School District should refer to the Local Boards of Education RDA's retention guidelines to identify permanent records.

Providing Rehabilitative Treatment Services

1. Youth Case Files (Samples)

Administering Internal Operations

1. Policies and Procedures – Policies and procedures governing core functions and services
2. Certified Copies of Administrative Rules*
3. Administrative Files that Document Policy, Process, and Procedure
4. Annual and Other Periodic Reports
5. Special Reports
6. Informational and Promotional Materials
7. Website(s) and Social Media Page(s)

Records No Longer Created

1. Compliance Records – Records Documenting DYS Compliance with Historically Significant Court Orders**

*indicates records that the Alabama Department of Archives and History (ADAH) determined

should be retained permanently and that ADAH anticipates will remain in the care and custody of the creating agency. All other permanent records are to be transmitted to the ADAH once they are no longer in active use by the Department of Youth Services.

**indicates records no longer created.

Department of Youth Services Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Archives Division, Alabama Department of Archives and History (ADAH), which serves as the Commission's staff, in cooperation with representatives of the Agency. The RDA lists records created and maintained by the Agency in carrying out their mandated functions and activities. It identifies records which must be maintained permanently and ultimately transferred to the ADAH; establishes retention periods for temporary records; and provides the legal authority for the Agency to implement destruction of eligible records.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and may be made available to members of the public. Records also must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the agency records manager or ADAH Archives Division at (334) 242-4452.

Explanation of Records Requirements

The RDA shall govern the disposition of all records, regardless of format, created by the agency from creation to dissolution. Please contact the staff of the Department of Archives and History before destroying any records created prior to 1940.

This RDA supersedes any previous records disposition schedules or RDAs governing the retention of the records created by the Agency. Copies of superseded schedules are no longer valid and may not be used for records disposition.

The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.

Certain other record-like materials are not actually regarded as official records and may be disposed of under this RDA. Such materials include (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document agency activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes, may include, but are not limited to,

telephone call-back messages, drafts of ordinary documents not needed for their evidential value, copies of material sent for information purposes but not needed by the receiving office for future business, and internal communications about social activities; (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Agency and lists the groups of records created and/or maintained as a result of activities and transactions performed in carrying out these subfunctions. The Agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular biannual meetings.

*** indicates records no longer created*

Promulgating Rules and Regulations

MEETING MINUTES, AGENDAS, AND PACKETS OF THE YOUTH SERVICES BOARD

Disposition: PERMANENT RECORD.

Recordings of Meetings

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

PLANNING FILES

Disposition: PERMANENT RECORD.

Executive Director's Orders

Disposition: PERMANENT RECORD.

Supporting and Facilitating Local Services

Grant Records

a. GRANT REPORTS

Disposition: PERMANENT RECORD.

b. Grant Applications and Application Materials Received

Disposition: Temporary Record. Retain 6 years after conclusion of the grant or rejection of application.

c. Grant Financial Records

Disposition: Temporary Record. Retain 6 years after conclusion of the grant or two years after audit, whichever is longer.

- d. Supporting Documentation (including report cards)
Disposition: Temporary Record. Retain 6 years after conclusion of the grant or two years after audit, whichever is longer.

Licensing and Monitoring Local Youth Facilities and Programs

ANNUAL ROSTER REPORTS OF LICENSED FACILITIES/PROGRAMS

Disposition: PERMANENT RECORD.

Youth Facility/Program Licensure Files

Disposition: Temporary Record. Retain 3 years after the end of the year in which the license expires.

Screening and Placing Committed Youth

Youth Intake Logs

Disposition: Temporary Record. Retain 1 year after the last entry.

Youth Placement Logs

Disposition: Temporary Record. Retain 1 year after the last entry.

Bed Space Availability Sheets

Disposition: Temporary Record. Retain 1 year.

Administering the Interstate Compact for Juveniles

Interstate Compact for Juveniles and Interstate Compact for the Supervision of Parolees and Probationers Administrative Files

Disposition: Temporary Record. Retain 1 year after the end of the year in which the youth is transferred or returned.

Operating Institutional Facilities

MEETING MINUTES, AGENDAS, AND PACKETS OF THE DYS YOUTH FACILITY ADVISORY BOARDS

Disposition: PERMANENT RECORD.

Professional Accreditation Files

Disposition: Temporary Record. Retain 3 years or until reaccreditation is completed.

DYS Youth Facility Employee Council Meeting Minutes

Disposition: Temporary Record. Retain 1 year.

DYS Facility Operational Files

Disposition: Temporary Record. Retain 3 years.

Investigating and Advocating

Youth Complaint Files

Disposition: Temporary Record. Retain 6 years after the subject youth turns 21.

Investigation Case Files

Disposition: Temporary Record. Retain 6 years, or 6 years after the subject youth turns 21, if applicable.

Facility surveillance audio/video recordings that do not become part of a case file

Disposition: Temporary Record. Retain 6 weeks.

Educating

Note: The DYS School District operates under the jurisdiction of the Alabama State Board of Education, as do other local boards of education in the state. The Local Government Records Commission has approved a Records Disposition Authority (RDA) for local boards of education. The DYS School District should refer to the Local Boards of Education RDA's retention guidelines for any records which do not appear in this document.

Providing Rehabilitative Treatment Services

Case Manager Working Notes

Disposition: Temporary Record. Retain 3 years after the release of the youth.

YOUTH CASE FILES (SAMPLES)

Disposition: PERMANENT RECORD. Retain 6 years after the youth reaches twenty-first birthday, then sample case files for permanent preservation. After sampling is completed, proceed with destruction of remaining records.

Client Tracking System Database**

Disposition: Temporary Record. Retain information until superseded.

Administering Internal Operations: Managing the Agency

Policies and Procedures

- a. POLICIES AND PROCEDURES GOVERNING CORE FUNCTIONS AND SERVICES
Disposition: PERMANENT RECORD.
- b. Policies and procedures concerning internal operations, including the administration of finances, personnel, properties, facilities, and resources
Disposition: Temporary Record. Retain 3 years.

CERTIFIED COPIES OF ADMINISTRATIVE RULES

Disposition: PERMANENT RECORD. Retain in office.

Register of Administrative Rules

Disposition: Temporary Record. Retain until superseded.

Administrative Rule Change Working Files

Disposition: Temporary Record. Retain 1 year after adoption, amendment, repeal, or rejection of the rule.

ADMINISTRATIVE FILES THAT DOCUMENT POLICY, PROCESS, AND PROCEDURE

Disposition: PERMANENT RECORD.

Legal Case Files

Disposition: Temporary Record. Retain 7 years after the final disposition of the case.

Compliance Records

- a. RECORDS DOCUMENTING DYS COMPLIANCE WITH HISTORICALLY SIGNIFICANT COURT ORDERS**

Disposition: PERMANENT RECORD.

- b. Records documenting DYS compliance with all other court orders**

Disposition: Temporary Record. Retain 5 years after the final disposition of the case.

Board of Adjustment Case Files

Disposition: Temporary Record. Retain 5 years after the final disposition of the case.

ANNUAL AND OTHER PERIODIC REPORTS

Disposition: PERMANENT RECORD.

SPECIAL REPORTS

Disposition: PERMANENT RECORD.

INFORMATIONAL AND PROMOTIONAL MATERIALS

Disposition: PERMANENT RECORD.

Board Member Files

- a. BIOGRAPHICAL AND HISTORICAL INFORMATION

Disposition: PERMANENT RECORD.

- b. Board Appointment Letters

Disposition: Temporary Record. Retain the length of the board term.

- c. Other Files about Board Members

Disposition: Temporary Record. Retain for useful life.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Internal Procedures

Disposition: Temporary Record. Retain until superseded.

Legislative Files (drafts of proposed agency-sponsored legislation, tracking files and records)

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's approved RDA (copies of transmittal forms to ADAH or the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 10 years.

Signed Copies of Approved RDA

Disposition: Temporary Record. Retain until superseded.

Computer Systems Documentation (Hardware/Software Specifications and Warranties)

Disposition: Temporary Record. Retain documentation of former system 1 year after audit for the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

WEBSITE(S) AND SOCIAL MEDIA SITE(S)

Disposition: PERMANENT RECORD.

Note: ADAH staff capture and preserve the agency's website(s) and other social media page(s) via a service offered by the Internet Archive [Archive It]. Any content behind password protection or login would not be captured by the ADAH. Check with the ADAH website at www.archiveit.org/organizations/62 to ensure your agency website(s) and social media page(s) are captured and preserved. If your agency's website(s) and social media page(s) are not captured by the service, please contact the Archives Division at 334-242-4452 to get them included.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products (includes AST-1 and AST-1A)

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Purchase and Repair Order Documents

Disposition: Temporary Record. Retain for life of warranty.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process (including requests for proposals and unsuccessful responses)

Disposition: Temporary Record. Retain for 10 years after the award of the contract.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Records documenting the application for, award of, receipt and disbursement of, and reporting of expenditure of federal funds received through grants and federal funds

Disposition: Temporary Record. Retain 6 years after submission of final expenditure report.

Records documenting the unsuccessful application for grants and federal funds

Disposition: Temporary Record. Retain 1 year.

Administering Internal Operations: Managing Human Resources

Job Recruitment Materials

Disposition: Temporary Record. Retain 1 year after audit.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Position Classification Questionnaire

Disposition: Temporary Record. Retain 4 years after reclassification of the position.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Personnel File - Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Records documenting employee hours worked, leave earned, and leave taken

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Records Documenting Leave Donations

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Records of Final Leave Status

Disposition: Temporary Record. Retain record of individual employees' cumulative leave 6 years after separation of employee from the agency.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims

Disposition: Temporary Record. Retain 6 years after separation of the employee from the

agency.

Records documenting Equal Employment Opportunity Commission (EEOC) Charges of Discrimination

Disposition: Temporary Record. Retain 6 years after final dispensation.

Equal Employment Opportunity Commission Case Files

Disposition: Temporary Record. Retain 3 years.

Employee Administrative Hearing Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records Documenting Employee Grievances (Internal Complaints)

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting complaints against the agency and its employees from outside the agency (made by members of the public, officials, or supervisees, etc.)

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records (maintained separately from employee personnel file), documenting employee disciplinary proceedings and appeals of formal reprimands, demotions, transfers, or terminations resulting from a grievance or complaint

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting the administration of the Unemployment Compensation Program

Disposition: Temporary Record. Retain 6 years after conclusion of eligibility.

Employee Flexible Benefits Plan Files (applications and correspondence)

Disposition: Temporary Record. Retain 6 years after termination of participation in program.

Administering Internal Operations: Managing Properties, Facilities, and Resources

Semiannual Property Inventory Lists

Disposition: Temporary Record. Retain 2 years (Code of Alabama 1975 § 36-16-8[1]).

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 1 year after property audit.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 1 year after property audit.

Property Inventory Affidavits

Disposition: Temporary Record. Retain 1 year after property audit.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Records documenting the use, maintenance, ownership, insurance, and disposition of vehicles owned by the agency

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the vehicle was removed from the property inventory.

Real Property Renting/Leasing records

Disposition: Temporary Record. Retain 6 years after the termination of lease or rental agreement, or until agency is audited and audit report is released, whichever is longer.

Facilities/Building Security Records (including visitor logs)

Disposition: Temporary Record. Retain 1 year.

Motor Pool Vehicle Use Records

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm, or one year after the end of the fiscal year the audit covers, whichever is later.

Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Building Maintenance Work Orders

Disposition: Temporary Record. Retain 1 year.

Records Documenting Vehicle Use/Mileage

Disposition: Temporary Record. Retain 1 year.

Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)

Requirement

Under the Code of Alabama 1975 § 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Agency as stipulated in this document.

One condition of this authorization is that the Agency submit an annual Records Disposition Authority (RDA) Implementation Report on its activities, including documentation of records destruction, to the State Records Commission.

Unless otherwise stipulated in this document, the Agency must transmit all permanent records which are no longer in active use to the ADAH.

Recommendations

In addition, the Agency should make every effort to establish and maintain a quality record-keeping program by conducting the following activities:

The Agency should designate a staff member in a managerial position as its records liaison/records manager, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.

Permanent records in the Agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation. ADAH archivists are available to work with agency staff in determining the best location and storage conditions for permanent records.

Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the Open Meetings Act, audit requirements, or any legal notice or subpoena.

The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records

solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.

Electronic mail contains permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA's requirements, the office should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the Agency and inspect records destruction documentation. Agency records managers and/or the ADAH archivists are available to instruct the staff in RDA implementation and otherwise assist the Agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on October 28, 2020.

Steve Murray, Chairman
State Records Commission

Date

By signing below, the agency acknowledges receipt of the retention periods and requirements established by the records disposition authority.

Steven Lafreniere, Executive Director
Alabama Department of Youth Services

Date